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Paper No. 9

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In re Application of  
Chiussi, et al.  
Application No. 10/010,582  
Filed: October 13, 2001  
Attorney Docket No. 22-1-10

OFFICE OF PETITIONS  
DECISION ON PETITION

This is a decision on the renewed petition under 37 CFR § 1.137(b), filed March 31, 2003, to revive the above-identified application.

The renewed petition is **granted**.

This application became abandoned for failure to respond in an appropriate and timely manner to the "Notice to File Missing Parts of Nonprovisional Application" (the "Notice") mailed January 7, 2002, which set forth a two (2) month period for reply. No extensions of time under 37 CFR § 1.136(a) were obtained. Accordingly, this application became abandoned on March 8, 2002. A petition under 37 CFR 1.137(b) was filed on March 17, 2003, but was dismissed by a decision mailed March 25, 2003.

Petitioner responded appropriately to the Notice by remitting on April 2, 2003, the surcharge of \$130.00.

The renewed petition under 37 CFR 1.137(b) filed in 10/008,425 is noted, however; a review of the application file did not reveal a first petition under 37 CFR 1.137(b) filed for that application. Petitioner should file a petition under 37 CFR 1.137(b) for 10/008,425 and provide the proper reply to the Notice of Missing Parts that was mailed for that application.

The application is being forward to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned, at (703) 305-0010.

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Office of Petitions